

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MICHAEL AARON DAVIS,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 07-721-DRH
)	
MICHAEL L. WESPIC,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

Plaintiff, a prisoner proceeding *pro se*, has filed a civil action pursuant to 42 U.S.C. § 1983. Despite correspondence from the Clerk (Doc. 2), Plaintiff has not yet paid the \$350 filing fee for this action, nor has he filed a properly supported motion for leave to proceed *in forma pauperis*. See 28 U.S.C. §§ 1914, 1915.

IT IS HEREBY ORDERED that, within **THIRTY (30) DAYS** of the date of the entry of this order, Plaintiff shall pay the \$350 filing fee applicable to this action. In the alternative, Plaintiff may file a motion to proceed *in forma pauperis*, supported by a certified copy of his prison trust fund account statement for the six-month period immediately preceding the filing of the complaint and an affidavit that includes a statement of his assets. Plaintiff is **ADVISED** that in the event he has been transferred among institutions during this six-month period, it is Plaintiff's responsibility to obtain a copy of his prison trust account statement from each such facility and to forward it to the Court. Plaintiff is **FURTHER ADVISED** that his obligation to pay the filing fee for this action was incurred at the time the action was filed; such an obligation will exist whether or not Plaintiff is

granted leave to proceed *in forma pauperis*. 28 U.S.C. § 1915(b)(1); *see also Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

Plaintiff is **ADVISED** of his continuing obligation to keep the Clerk informed of any change in his whereabouts during the pendency of this action. This notification shall be done in writing and not later than seven (7) days after a transfer or other change in address occurs.

IT IS FURTHER ORDERED that upon conclusion of this thirty-day period, should Plaintiff fail to comply with this order, this case will be closed for failure to comply with an order of this Court. FED.R.CIV.P. 41(b); *see generally Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994).

IT IS SO ORDERED.

DATED: November 6, 2007.

/s/ David R Herndon
CHIEF JUDGE
UNITED STATES DISTRICT COURT